

Message Text

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ORIGIN EB-08

INFO OCT-01 EUR-12 ISO-00 DOTE-00 SS-15 NSC-05 PM-05
SP-02 CIAE-00 INR-10 NSAE-00 DODE-00 AID-05
CEA-01 COME-00 FRB-03 STR-07 TRSE-00 LAB-04
SIL-01 OMB-01 FMC-01 PA-01 ICA-11 OES-07 EPA-01
CEQ-01 L-03 IO-13 /118 R

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TO AMEMBASSY BRUSSELS PRIORITY
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C O N F I D E N T I A L STATE 144576

OSLO PASS TO SECRETARY ADAMS

E.O. 11652: GDS

TAGS: EWWT, EC

SUBJECT: MARITIME MATTERS

REF: A) BRUSSELS 10751 (NOTAL); B) BRUSSELS 10684 (NOTAL)

1. DEPARTMENT APPRECIATES REFTEL A WHICH DESCRIBES THE
APPARENT INACCURATE ASSESSMENT OF SHIPPING POLICY ISSUES
IN GENERAL AND US SHIPPING POLICY IN PARTICULAR HELD BY
EC COMMISSIONER BURKE, THE DEPARTMENT IS EXTREMELY
SKEPTICAL OF LINKAGE BURKE ATTEMPTS TO DEPICT BETWEEN EC
COUNCIL ACTIONS ON THE CODE, STATE TRADING COUNTRY
SHIPPING, AND RATIFICATION OF POLLUTION CONTROL AGREEMENTS.

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DEPARTMENT CLEARLY DISAGREES WITH HIS CONCLUSIONS THAT USG
COULD FACILITATE COUNCIL ACCORD ON EASTERN BLOC AND POLLU-
TION ISSUES.

2. IN REGARD TO THE CODE, USG IS IN NO POSITION TO INDIC-
ATE TO EC OUR WILLINGNESS TO EXPLORE SERIOUSLY ACCESSION
TO THE CODE OF CONDUCT FOR LINER CONFERENCES. US HAS LONG-

STANDING POLICY OBJECTIONS TO SEVERAL KEY FEATURES OF THE CODE AND, IN ANY CASE, US COULD NOT RATIFY CODE (EVEN WITH SUBSTANTIAL RESERVATIONS) WITHOUT RADICAL CHANGES IN US SHIPPING AND ANTITRUST LAWS.

3. WHILE THE ADMINISTRATION HAS IN FACT EMBARKED ON A COMPREHENSIVE INTERAGENCY REVIEW OF US SHIPPING POLICY AND LAWS, THIS REVIEW WILL NOT BE COMPLETED UNTIL LATE 1978. THE UNCTAD CODE IS NOT AMONG ITEMS SPECIFICALLY EARMARKED FOR STUDY IN THE COURSE OF THIS REVIEW, ALTHOUGH RESULTS OF POLICY REVIEW COULD POSSIBLY LEAD TO EVENTUAL REAPPRAISAL OF OUR POLICY ON MATTERS WITH WHICH THE CODE DEALS. MOREOVER, AS NOTED ABOVE, WE DO NOT BELIEVE THAT US ACTION OR INACTION ON THE CODE SHOULD HAVE ANY EFFECT ON EC CONSIDERATION OF THE STATE TRADING COUNTRIES ISSUE OR THE MARINE POLLUTION ISSUE. AS PARA 4 OF REF B MAKES CLEAR, FRENCH RESISTANCE TO COUNCIL ACTION ON STATE TRADING COUNTRIES' SHIPPING IS MORE THAN A TACTIC TO PRESSURE UK ON UNCTAD CODE AND STEMS FROM BASIC FRENCH RELUCTANCE TO APPEAR TO BE SINGLING OUT SOVIETS FOR PARTICULAR SCRUTINY IN LINER SHIPPING AND FROM FRENCH WISH TO ASSOCIATE THE QUOTE EVILS UNQUOTE OF CONTROLLED CARRIER SHIPPING WITH THE FRENCH-PERCEIVED QUOTE EVILS UNQUOTE OF FLAGS OF CONVENIENCE.

4. BURKE DOES NOT MAKE CLEAR HOW DISAGREEMENT ON UNCTAD

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CODE AND STATE TRADING SHIPPING WILL COMPLICATE ACHIEVEMENT OF EC COUNCIL ACCORD CALLING FOR RAPID RATIFICATION OF INTERNATIONAL SAFETY AND POLLUTION CONTROL AGREEMENTS, AND DEPARTMENT IS SKEPTICAL THAT THIS IS THE CASE. PARTICULARLY IN VIEW OF INTENSE FRENCH INTEREST IN CONTROLLING MARINE POLLUTION, DEPARTMENT DOUBTS THE FRENCH WOULD LINK THIS ISSUE TO THE OTHER MORE CONTENTIOUS ISSUES. VANCE

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